



DIGEST SUPPLEMENT

To Legislative Digest and History of Bills
Supplement No. 12*

FIFTY-NINTH LEGISLATURE

Wednesday, January 26, 2005

17th Day - 2005 Regular

SENATE

INIT 330	SB 5436	SB 5454
INIT 336	SB 5437	SB 5455
SB 5420	SB 5438	SB 5456
SB 5421	SB 5439	SB 5457
SB 5422	SB 5440	SB 5458
SB 5423	SB 5441	SB 5459
SB 5424	SB 5442	SB 5460
SB 5425	SB 5443	SJR 8207
SB 5426	SB 5444	
SB 5427	SB 5445	
SB 5428	SB 5446	
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SB 5431	SB 5449	
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SB 5433	SB 5451	
SB 5434	SB 5452	
SB 5435	SB 5453	

HOUSE

INIT 330	HB 1457	HB 1474	HB 1491
INIT 336	HB 1458	HB 1475	HB 1492
HB 1014-S	HB 1459	HB 1476	HB 1493
HB 1443	HB 1460	HB 1477	HJR 4203
HB 1444	HB 1461	HB 1478	
HB 1445	HB 1462	HB 1479	
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LIST OF BILLS IN DIGEST SUPPLEMENTS

SENATE

SB 5000	Supp. 1	SB 5031	Supp. 1
SB 5001	Supp. 1	SB 5032	Supp. 1
SB 5002	Supp. 1	SB 5033	Supp. 1
SB 5003	Supp. 1	SB 5034	Supp. 1
SB 5004	Supp. 1	SB 5035	Supp. 1
SB 5005	Supp. 1	SB 5036	Supp. 1
SB 5006	Supp. 1	SB 5037	Supp. 1
SB 5007	Supp. 1	SB 5038	Supp. 1
SB 5008	Supp. 1	SB 5039	Supp. 2
SB 5009	Supp. 1	SB 5040	Supp. 2
SB 5010	Supp. 1	SB 5041	Supp. 2
SB 5011	Supp. 1	SB 5042	Supp. 2
SB 5012	Supp. 1	SB 5043	Supp. 3
SB 5013	Supp. 1	SB 5044	Supp. 3
SB 5014	Supp. 1	SB 5045	Supp. 3
SB 5015	Supp. 1	SB 5046	Supp. 3
SB 5016	Supp. 1	SB 5047	Supp. 3
SB 5017	Supp. 1	SB 5048	Supp. 3
SB 5018	Supp. 1	SB 5049	Supp. 3
SB 5019	Supp. 1	SB 5050	Supp. 3
SB 5020	Supp. 1	SB 5051	Supp. 3
SB 5021	Supp. 1	SB 5052	Supp. 3
SB 5022	Supp. 1	SB 5053	Supp. 3
SB 5023	Supp. 1	SB 5054	Supp. 3
SB 5024	Supp. 1	SB 5055	Supp. 3
SB 5025	Supp. 1	SB 5056	Supp. 3
SB 5026	Supp. 1	SB 5057	Supp. 3
SB 5027	Supp. 1	SB 5058	Supp. 3
SB 5028	Supp. 1	SB 5059	Supp. 3
SB 5029	Supp. 1	SB 5060	Supp. 3
SB 5030	Supp. 1	SB 5061	Supp. 3

HOUSE

HB 1000	Supp. 1	HB 1031	Supp. 1
HB 1001	Supp. 1	HB 1032	Supp. 2
HB 1002	Supp. 1	HB 1033	Supp. 2
HB 1003	Supp. 1	HB 1034	Supp. 2
HB 1004	Supp. 1	HB 1035	Supp. 2
HB 1005	Supp. 1	HB 1036	Supp. 2
HB 1006	Supp. 1	HB 1037	Supp. 2
HB 1007	Supp. 1	HB 1038	Supp. 2
HB 1008	Supp. 1	HB 1039	Supp. 2
HB 1009	Supp. 1	HB 1040	Supp. 2
HB 1010	Supp. 1	HB 1041	Supp. 2
HB 1011	Supp. 1	HB 1042	Supp. 2
HB 1012	Supp. 1	HB 1043	Supp. 2
HB 1013	Supp. 1	HB 1044	Supp. 2
HB 1014	Supp. 1	HB 1045	Supp. 2
HB 1015	Supp. 1	HB 1046	Supp. 2
HB 1016	Supp. 1	HB 1047	Supp. 2
HB 1017	Supp. 1	HB 1048	Supp. 3
HB 1018	Supp. 1	HB 1049	Supp. 3
HB 1019	Supp. 1	HB 1050	Supp. 3
HB 1020	Supp. 1	HB 1051	Supp. 3
HB 1021	Supp. 1	HB 1052	Supp. 3
HB 1022	Supp. 1	HB 1053	Supp. 3
HB 1023	Supp. 1	HB 1054	Supp. 3
HB 1024	Supp. 1	HB 1055	Supp. 3
HB 1025	Supp. 1	HB 1056	Supp. 3
HB 1026	Supp. 1	HB 1057	Supp. 3
HB 1027	Supp. 1	HB 1058	Supp. 3
HB 1028	Supp. 1	HB 1059	Supp. 3
HB 1029	Supp. 1	HB 1060	Supp. 3
HB 1030	Supp. 1	HB 1060-S	Supp. 11

*To be discarded upon receipt of Edition No. 1 of the Legislative Digest and History of Bills

Initiatives Introduced in the House and Senate

Initiative 330 by People of the State of Washington

Health Care Liability Reform

Provides that in any action or arbitration for damages for injury or death occurring as a result of health care or related services, or the arranging for the provision of health care or related services, whether brought under chapter 7.70 RCW, RCW 4.20.010, 4.20.020, 4.20.046, 4.20.060, 4.24.010, or 48.43.545(1), any other applicable law, or any combination thereof, that is based upon the alleged wrongful acts or omissions of one or more health care professionals, whether or not those health care professionals are named as defendants, the total combined civil liability for noneconomic damages for all health care professionals, all persons, entities, and health care institutions for whose conduct the health care professionals could be held liable, and all persons, entities, and health care institutions that could be held liable for the conduct of any health care professionals, shall not exceed three hundred fifty thousand dollars for each claimant, regardless of the number of health care professionals, health care providers, or health care institutions against whom the claim for injury or death is or could have been asserted or the number of separate causes of action on which the claim is based.

Provides that an attorney may not contract for or collect a contingency fee for representing a person in connection with an action for damages for injury or death occurring as a result of health care or related services, or the arranging for the provision of health care or related services, in excess of the following limits: (1) Forty percent of the first fifty thousand dollars recovered;

(2) Thirty-three and one-third percent of the next fifty thousand dollars recovered;

(3) Twenty-five percent of the next five hundred thousand dollars recovered;

(4) Fifteen percent of any amount in which the recovery exceeds six hundred thousand dollars.

Declares that the limitations in this provision apply regardless of whether the recovery is by judgment, settlement, arbitration, mediation, or other form of alternative dispute resolution.

Provides that, in no event may an action be commenced more than three years after the act or omission alleged to have caused the injury or condition except: (1) Upon proof of fraud, intentional concealment, or the presence of a foreign body not intended to have a therapeutic or diagnostic purpose or effect, in which case the patient or the patient's representative has one year from the date the patient or the patient's representative or custodial parent or guardian has actual knowledge of the act of fraud or concealment or of the presence of the foreign body within which to commence a civil action for damages.

(2) In the case of a minor, upon proof that the minor's custodial parent or guardian and the defendant or the defendant's insurer have committed fraud or collusion in the failure to bring an action on behalf of the minor, in which case the patient or the patient's representative has one year from the date the patient or the patient's representative other than the custodial parent or guardian who committed the fraud or collusion has actual knowledge of the fraud or collusion, or one year from the date of the minor's eighteenth birthday, whichever provides a longer period.

(3) In the case of a minor under the full age of six years, in which case the action on behalf of the minor must be

commenced within three years, or prior to the minor's eighth birthday, whichever provides a longer period.

Provides that a contract for health care or related services that contains a provision for arbitration of a dispute as to professional negligence of a health care provider as defined in RCW 7.70.020, whether brought under chapter 7.70 RCW, RCW 4.20.010, 4.20.020, 4.20.046, 4.20.060, or 4.24.010, any other applicable law, or any combination thereof, must have the provision as the first article of the contract and the provision must be expressed in the following language:

"It is understood that any dispute as to medical malpractice that is as to whether any health care or related services rendered under this contract were unnecessary or unauthorized or were improperly, negligently, or incompetently rendered, will be determined by submission to arbitration as provided by Washington law, and not by a lawsuit or resort to court process except as Washington law provides for judicial review of arbitration proceedings. Both parties to this contract, by entering into it, are giving up their constitutional right to have such a dispute decided in a court of law before a jury, and instead are accepting the use of arbitration."

Declares that a public or private hospital shall be liable for an act or omission of a health care provider granted privileges to provide health care at the hospital only if the health care provider is an actual agent or employee of the hospital and the act or omission of the health care provider occurred while the health care provider was acting within the course and scope of the health care provider's agency or employment with the hospital.

Declares that a person who is a health care provider under RCW 7.70.020 (1) or (2) shall not be personally liable for any act or omission of any other health care provider who was not the person's actual agent or employee or who was not acting under the person's direct supervision and control at the time of the act or omission.

-- 2005 REGULAR SESSION --

Jan 19 First reading, referred to House Judiciary.

Jan 19 First reading, referred to Senate Health & Long-Term Care.

Initiative 336 by People of the State of Washington

Health Care Quality

Finds that increases in rate filings in insurance have widespread impact in the availability and affordability of medical malpractice liability insurance. In some cases, excessive rate increases result in limiting the availability of affordable insurance in markets, which in turn threatens the viability of the services or products that are to be insured.

Finds that there are several contributing causes to the current medical liability problem, and addressing these causes requires reducing medical errors while increasing patient safety and information and reducing the cost of our medical liability system.

Declares that it is in the public interest to maintain an efficient and expeditious regulatory environment in which to conduct the business of insurance. This interest must be balanced by the equally important public interest in promoting a greater range of medical liability insurance options to increase accessibility and affordability of this insurance and increase transparency when excessive rate filings impact the very health care practices and businesses that are to be insured.

Declares an intent to increase consumer access to information regarding medical malpractice liability and

insurance and to reduce costs by increasing patient safety and information.

Creates a supplemental malpractice insurance program to provide an excess layer of liability coverage for medical malpractice claims.

Provides that a board of governors will oversee the operations of the program. The management and operations of the program are subject to the supervision and approval of the board.

Provides that the program must charge an annual premium to health care facilities and providers who decide to buy excess medical malpractice liability coverage from the program. The program must use this money to pay claims, administrative costs, and other expenses of the program.

Requires the program to file an annual statement with the commissioner by March 1st of each year. The statement must contain information about the program's transactions, financial condition, and operations during the past calendar year. The commissioner may establish rules for the form and content of this statement.

Provides that, if a health care facility or provider buys insurance to establish proof of financial responsibility, the insuring entity that provides underlying coverage must certify in writing to the program that the facility or provider has medical malpractice coverage with limits of liability as specified in this act. The limits set forth in this act apply to any joint liability of a provider and his or her corporation or partnership.

Declares that the minimum retained limits of liability are: (1) For health care providers: (a) Two hundred fifty thousand dollars per claim; and (b) annual aggregate limits of seven hundred fifty thousand dollars;

(2) For facilities with fewer than twenty-five employees that do not provide surgical services: (a) Two hundred fifty thousand dollars per claim; and (b) annual aggregate limits of one million two hundred fifty thousand dollars;

(3) For hospitals with a capacity of less than one hundred beds: (a) Five hundred thousand dollars per claim; and (b) annual aggregate limits of five million dollars;

(4) For hospitals with a capacity of one hundred or more beds: (a) Five hundred thousand dollars per claim; and (b) annual aggregate limits of eight million dollars;

(5) For health maintenance organizations that do not provide hospital services: (a) Five hundred thousand dollars per claim; and (b) annual aggregate limits of five million dollars;

(6) For health maintenance organizations that provide hospital services: (a) Five hundred thousand dollars per claim; and (b) annual aggregate limits of eight million dollars; and

(7) For all other types of health care facilities: (a) Five hundred thousand dollars per claim; and (b) annual aggregate limits of three million dollars.

Provides that, beginning in 2007, the commissioner must prepare an annual report by June 30th that summarizes and analyzes the closed claim reports for medical malpractice filed under section 126 of this act and the annual financial reports filed by insurers writing medical malpractice insurance in this state.

Declares that the legislature may appropriate for the biennium ending June 30, 2007, any sum of money it deems necessary to the department of health to: (1) Provide capital and surplus to the supplemental malpractice insurance program; and

(2) Pay administrative expenses incurred to establish the supplemental malpractice insurance program.

Declares that no person who has been found to have within a ten-year period committed three or more incidents

of medical malpractice shall be licensed or continue to be licensed by the commission to practice medicine.

Provides that nothing in this act limits the authority of the disciplining authority to revoke a license or take other disciplinary action when the license holder has committed only one or two acts of unprofessional conduct.

Provides that, upon receipt of a written request from a patient or an immediate family member of a deceased or disabled family member to examine or copy records made or received in the course of business by a health care facility or provider relating to any adverse medical incident, the health care facility or provider, as promptly as required by the circumstances, but not later than fifteen working days after receiving the request, shall: (1) Make the information available for examination during regular business hours and provide a copy, if requested, to the patient or an immediate family member of a deceased or disabled family member. In providing such access, the identity of patients involved in the incidents shall not be disclosed, and any privacy restrictions imposed by federal law shall be maintained; or

(2) Inform the patient or an immediate family member of a deceased or disabled patient if the information does not exist or cannot be found.

Declares that, in any action under chapter 7.70 RCW, each side shall presumptively be entitled to only two expert witnesses on an issue, except upon a showing of necessity. Where there are multiple parties on a side and the parties cannot agree as to which experts will be called on an issue, the court, upon a showing of necessity, shall allow additional experts on an issue to be called as the court deems appropriate.

Provides that, in any action under this act, an attorney that has drafted, or assisted in drafting and filing an action, counterclaim, cross-claim, third-party claim, or a defense to a claim, upon signature and filing, certifies that to the best of the party's or attorney's knowledge, information, and belief, formed after reasonable inquiry it is not frivolous, and is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause frivolous litigation.

Declares that, if an action is signed and filed in violation of this rule, the court, upon motion or upon its own initiative, may impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay to the other party or parties the amount of the reasonable expenses incurred because of the filing of the action, counterclaim, cross-claim, third-party claim, or a defense to a claim, including a reasonable attorney fee. The procedures governing the enforcement of RCW 4.84.185 shall apply to this provision.

Requires that, within one hundred twenty days after filing a lawsuit under this chapter, the attorney of record, or the plaintiff if pro se, must file a certificate of merit. The certificate must state that the attorney or pro se plaintiff has consulted with a qualified expert who believes on a more probable than not basis that the claim set forth satisfies at least one of the basis for recovery under this chapter. Upon a showing of good cause, a court may extend the time frame for filing the certificate for a period not to exceed sixty days.

-- 2005 REGULAR SESSION --

Jan 19 First reading, referred to House Judiciary.
Jan 19 First reading, referred to Senate Health & Long-Term Care.

House Bills

HB 1014-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Darneille, O'Brien, Cody, Morrell, Chase and Schual-Berke)

Revising DNA testing provision.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a person convicted of a felony in a Washington state court who currently is serving a term of imprisonment may submit to the court that entered the judgment of conviction a verified written motion requesting DNA testing, with a copy of the motion provided to the state office of public defense.

Provides that DNA testing ordered under this act shall be performed by the Washington state patrol crime laboratory. Contact with victims shall be handled through victim/witness divisions.

Directs the court to adopt rules for the preservation of all biological material and evidence samples in connection with criminal cases.

Provides that, notwithstanding any other provision of law, upon motion of defense counsel or the court's own motion, a sentencing court in a felony case may order the preservation of any biological material that has been secured in connection with a criminal case, or evidence samples sufficient for testing. The court must specify the samples to be maintained and the length of time the samples must be preserved.

-- 2005 REGULAR SESSION --

Jan 21 CJC - Majority; 1st substitute bill be substituted, do pass.

Jan 25 Placed on second reading.

HB 1443 by Representatives Appleton and Cody

Modifying medicare supplemental insurance policy provisions to conform to federal law.

Revises medicare supplemental insurance policy provisions to conform to federal law.

Repeals RCW 41.05.190.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Health Care.

HB 1444 by Representatives Haigh, Nixon, Miloscia, Shabro, McDermott, Blake and Hasegawa

Requiring contracts to be awarded to the lowest responsible bidder.

Provides that, after bids for a public work, as defined in RCW 39.04.010, have been opened by the state or municipalities, as defined in RCW 39.04.010, and institutions of higher education as defined in RCW 28B.10.016, award must be made to that responsible bidder who submitted the lowest responsive bid, unless it is determined in writing specifying the reasons that there is good cause to reject all bids and cancel the invitation.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to State Government Operations & Accountability.

HB 1445 by Representatives Chase, Skinner, DeBolt, Green, Kessler, Morrell, Newhouse, P. Sullivan, Conway, Eickmeyer, Kirby, B. Sullivan, Flannigan, Linville, Campbell, Clements, Kristiansen, Miloscia, McCune, Dunn, Pettigrew, Quall, Kenney, Simpson, Appleton, Moeller, Sells, Haler, Condotta, McDonald, Takko, Kagi, Kilmer and Clibborn

Modifying state regulatory provisions for small businesses.

Finds that: (1) A vibrant and growing small business sector is critical to creating jobs in a dynamic economy;

(2) Small businesses bear a disproportionate share of regulatory costs and burdens;

(3) Fundamental changes that are needed in the regulatory and enforcement culture of state agencies to make them more responsive to small business can be made without compromising the statutory missions of the agencies;

(4) When adopting rules to protect the health, safety, and economic welfare of Washington, state agencies should seek to achieve statutory goals as effectively and efficiently as possible without imposing unnecessary burdens on small employers;

(5) Uniform regulatory and reporting requirements can impose unnecessary and disproportionately burdensome demands including legal, accounting, and consulting costs upon small businesses with limited resources;

(6) The failure to recognize differences in the scale and resources of regulated businesses can adversely affect competition in the marketplace, discourage innovation, and restrict improvements in productivity;

(7) Unnecessary regulations create entry barriers in many industries and discourage potential entrepreneurs from introducing beneficial products and processes;

(8) The practice of treating all regulated businesses the same leads to inefficient use of regulatory agency resources, enforcement problems, and, in some cases, to actions inconsistent with the legislative intent of health, safety, environmental, and economic welfare legislation;

(9) Alternative regulatory approaches which do not conflict with the state objective of applicable statutes may be available to minimize the significant economic impact of rules on small businesses; and

(10) The process by which state rules are developed and adopted should be reformed to require agencies to solicit the ideas and comments of small businesses, to examine the impact of proposed and existing rules on such businesses, and to review the continued need for existing rules.

Provides that, prior to the adoption of any proposed rule that may have an adverse impact on small businesses, each agency shall prepare a small business economic impact statement.

Provides that prior to the adoption of any proposed rule on and after July 1, 2005, each agency shall prepare a regulatory flexibility analysis in which the agency shall, where consistent with health, safety, and environmental and economic welfare, consider utilizing regulatory methods that will accomplish the objectives of applicable statutes while minimizing adverse impact on small businesses.

Provides that, beginning July 1, 2009, each agency shall review all agency rules existing at the time of the enactment to determine whether the rules should continue without change, or should be amended or rescinded, consistent with the stated objectives of this act.

Repeals RCW 19.85.030, 19.85.040, and 19.85.050.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to State Government Operations & Accountability.

HB 1446 by Representatives Hunter, Jarrett, Simpson, Tom, Kirby, Lantz, Anderson, Conway, Kessler, P. Sullivan, McIntire and Clibborn

Modifying requirements for voter-approved property tax levies.

Amends RCW 84.55.050 relating to voter-approved regular property tax levies.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Finance.

HB 1447 by Representatives Moeller, Jarrett, Morrell, Nixon, Fromhold, Kessler, Lantz, Upthegrove, Appleton, Green, Lovick, Dunshee, Buri, P. Sullivan, Ericks, Pettigrew, Schual-Berke, Simpson, Ormsby, Tom, Sells, Dickerson, McDermott, Wood, Santos, Hasegawa and Kilmer

Establishing a pilot project to examine the use of instant runoff voting for nonpartisan offices.

Finds that it is in the public interest to examine the use of a voting system that requires all victorious candidates to be elected with a majority vote rather than a plurality of effective votes, and that allows voters to designate secondary and other preferences for potential tabulation if their first choice candidate does not receive a majority of the votes cast.

Recognizes that the system known as instant runoff voting achieves these purposes.

Declares that it is in the interest of participatory democracy for voters to be given the opportunity to vote for their first choice candidate while still making effective secondary choices among the remaining candidates.

Declares an intent to authorize a limited pilot project to study the effects of using instant runoff voting as a local option for nonpartisan offices in any qualifying city.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to State Government Operations & Accountability.

HB 1448 by Representatives Campbell, Williams, McCune, Lovick, Ahern and Sells

Enhancing penalties for possession of ephedrine, pseudoephedrine, or phenylpropanolamine.

Declares that it is unlawful for any person to possess more than one hundred grams of ephedrine or any of its salts or isomers or salts of isomers, pseudoephedrine or any of its salts or isomers or salts of isomers, or phenylpropanolamine or any of its salts or isomers or salts of isomers, or a combination of any of those substances.

Provides that any person who violates this act is guilty of a class B felony.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Criminal Justice & Corrections.

HB 1449 by Representatives Anderson, Kessler, Ericksen, Linville, McCune and Morrell

Authorizing the "Washington's National Park Fund" special license plate.

Authorizes the "Washington's National Park Fund" special license plate.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

HB 1450 by Representatives Anderson and McDermott

Revising procedures for transfer of territory between school districts.

Finds that the citizens of Washington have long enjoyed the right to petition for a transfer of territory between one school district and another and to have their petition decided upon by a neutral body separate from either school district.

Declares that recent legislation intended to encourage decisions about school boundaries to be made at the local level by the affected school boards was not intended to abrogate the right of citizens to have their petition heard and decided by the educational service district regional committee.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Education.

HB 1451 by Representatives Ahern, O'Brien, Tom, Lovick, Roach, Walsh, Holmquist, Rodne, Orcutt, Kretz, Campbell, Strow, McCune, McDonald, Serben, Condotta, Williams, Chase, Hasegawa, Haler, Pettigrew, Newhouse, P. Sullivan, Morrell and Sells

Increasing penalties for driving or physical control while under the influence.

Increases penalties for driving or physical control while under the influence of intoxicating liquor or any drug.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

HB 1452 by Representatives Ahern, O'Brien, Holmquist, Lovick, Campbell, Rodne, Roach, Walsh, Kretz, Pearson, Strow, McCune, Condotta, Hasegawa, Williams, Chase, Haler, Pettigrew and P. Sullivan

Designating failure to provide proof of vehicle insurance as a misdemeanor.

Designates failure to provide proof of vehicle insurance as a misdemeanor.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Criminal Justice & Corrections.

HB 1453 by Representatives Ahern, O'Brien, Holmquist, Lovick, Orcutt, Williams, Roach, Pearson, Rodne, Campbell, Strow, McDonald, Serben, Crouse, Haler, Pettigrew, P. Sullivan and Simpson

Removing the statute of limitations for certain sex offenses.

Deletes the statute of limitations for certain sex offenses.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Criminal Justice & Corrections.

HB 1454 by Representatives Ahern, O'Brien, Roach, Serben, Holmquist, Kretz, Lovick, Walsh, Campbell, Rodne, Strow, McDonald, Condotta, Hasegawa, Williams, Chase, Upthegrove, Crouse, Haler, Pettigrew, Buri, Newhouse, P. Sullivan, Morrell, Moeller, Kristiansen, Tom and Sells

Requiring proof of insurance for vehicle registration.

Provides that to renew a vehicle license an applicant must provide proof of being insured under a motor vehicle liability policy with liability limits of at least the amounts provided in RCW 46.29.090, a self-insurance certificate as provided in RCW 46.29.630, or proof of coverage under a liability bond of at least the amounts provided in RCW 46.29.090.

Requires that, whenever the motor vehicle liability insurance policy, self-insurance certificate, or liability bond required under this act is not renewed or is canceled, whether the nonrenewal or cancellation is initiated by the insured, the insurance company, or the bonding company, the registered owner of the vehicle or vehicles shall immediately notify the department. Failure to provide notice as required under this provision is a misdemeanor.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

HB 1455 by Representatives Haigh, Wallace, Kagi, Dickerson and Chase

Limiting nuisance noise from off-road vehicles.

Limits use on lands zoned as residential within six hundred feet of another property owner's residence, or within six hundred feet of another property owner's barn, stable, penned area, or similar structure or confined area occupied by any livestock, as defined by RCW 16.36.005, in a repetitive manner or on a track for purposes of recreation or practicing for races, jumps, tests, or similar purposes.

Provides that a person who is guilty of violating this provision is subject on the first offense to a fine of not less than one hundred dollars. On each subsequent violation, the person is subject to twice the amount of fine as on the last infraction.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Natural Resources, Ecology & Parks.

HB 1456 by Representative Haigh

Changing the primary to the first Tuesday in September.
Changes the primary to the first Tuesday in September.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to State Government Operations & Accountability.

HB 1457 by Representatives Haigh, Bailey, Conway, McCoy and McDonald; by request of Military Department

Creating the military department capital account and rental and lease account.

Establishes the military department capital account and rental and lease account.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to State Government Operations & Accountability.

HB 1458 by Representatives Hunt, Dickerson, McCoy, B. Sullivan, Williams, Haigh, Appleton, Linville, Chase, Dunshee, Simpson, Upthegrove, Moeller and McDermott

Concerning the management of on-site sewage systems in marine areas.

Finds that improperly functioning on-site sewage systems in marine areas may contaminate ground water and surface water, threatening public health and the environment.

Finds that in these areas enhanced on-site sewage system certification programs must be established to ensure systems are properly functioning to protect public and environmental health.

Requires the department of ecology to designate a marine area of special concern in counties with shorelines adjacent to Puget Sound in areas where concentrations of on-site sewage disposal systems are a significant factor contributing to public health and environmental concerns.

Requires the local board of health with jurisdiction over the area to submit an enhanced on-site sewage system certification program to the department within eighteen months of designation of a marine area of special concern within the county.

Requires the local board of health with jurisdiction over the area to conduct quality assurance of the enhanced on-site sewage system certification program including: (1) Inspection of at least ten percent of certificated on-site sewage disposal systems every three years to determine if the systems are properly functioning and in compliance with this chapter and RCW 43.20.050; and

(2) Follow-up inspections of all new on-site sewage disposal systems within one year of installation to ensure that the system is properly functioning and to provide educational materials to the owner or operator of the system.

Provides that, in areas with shorelines adjacent to Puget Sound where an enhanced on-site sewage system certification program is not required, the owner of an on-site sewage disposal system is responsible for operating, monitoring, and maintaining the system to minimize the risk of failure. In order to accomplish this, the owner shall ensure a complete evaluation of the system's components to determine functionality, maintenance needs, and compliance with regulations and permits as follows: (1) At least once every three years for a conventional on-site sewage disposal system; or

(2) Annually for a complex on-site sewage disposal system.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Natural Resources, Ecology & Parks.

HB 1459 by Representatives B. Sullivan, Dickerson, Jarrett, Upthegrove, Kessler, Appleton, Dunshee, Moeller, Simpson, McCoy, Kenney, P. Sullivan, McDermott, Cody, Santos, Conway, Kilmer and Chase

Creating the oil spill monitoring and oversight council.

Declares that, in section 5002 of the federal oil pollution act of 1990, the United States congress found that complacency on the part of industry and government was one of the contributing factors to the Exxon Valdez spill and, further, that one method to combat this complacency is to involve local citizens in the monitoring and oversight of oil spill plans. Moreover, congress concluded that, in addition to Alaska, a program of citizen monitoring and oversight should be established in other major crude oil terminals in the United States because recent oil spills indicate that the safe transportation of oil is a national problem.

Establishes in the office of the governor the oil spill monitoring and oversight council. The primary purpose of the council is to maintain the state's vigilance in the prevention of oil spills, while recognizing the importance of also improving preparedness and response.

Provides that, by December 1st of each year, the council shall make recommendations for the continuing improvement of the state's oil spill prevention, preparedness, and response through a report to the governor and the appropriate committees of the senate and house of representatives.

Requires the director to prepare a response to the annual report within ninety days of its submittal to the governor and the legislature, including a description of recommended improvements the department will adopt and the reasons established for rejecting the adoption of or for significantly modifying any recommended improvement.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Natural Resources, Ecology & Parks.

HB 1460 by Representatives Green, Shabro, Flannigan, Talcott, Morrell and Lantz

Regulating county contracts for marine vessels.

Provides that, prior to awarding any contract limiting security to the county's exposure to loss, a county shall develop and adopt an ordinance that establishes the procedure for determining the county's exposure to loss on contracts for construction, maintenance, or repair of a marine vessel.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

HB 1461 by Representatives Linville, Buri and Pettigrew; by request of Conservation Commission

Changing conservation assistance revolving account provisions.

Amends RCW 89.08.550 relating to the conservation assistance revolving account.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Economic Development, Agriculture & Trade.

HB 1462 by Representatives Linville, Buri, Pettigrew and Chase; by request of Conservation Commission

Funding conservation districts.

Amends RCW 89.08.410 relating to funding conservation districts.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Economic Development, Agriculture & Trade.

HB 1463 by Representatives Green, Rodne, Cody and Moeller

Requiring schools to provide information on meningococcal immunization.

Provides that every public and private school in the state shall provide parents and guardians with information about meningococcal disease and its vaccine at the beginning of every school year. The information about meningococcal disease shall include: (1) Its causes and symptoms, how meningococcal disease is spread, and the places where parents and guardians may obtain additional information and vaccinations for their children; and

(2) Current recommendations from the United States centers for disease control and prevention regarding the receipt of vaccines for meningococcal disease and where the vaccination can be received.

Declares that this provision shall not be construed to require the department of health or the school to provide meningococcal vaccination to students.

Does not create a private right of action.

Directs the superintendent of public instruction to adopt rules to implement the requirements of this act and shall annually attest that the program has been implemented.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Health Care.

HB 1464 by Representatives O'Brien, Lovick, Kirby, Sommers and Chase

Regulating commercial parking businesses.

Declares that a commercial parking business may not charge a parking charge unless a sign is conspicuously posted on the parking lot that clearly indicates: (1) The times and circumstances in which a parking charge will be charged;

(2) The amount of the parking charge, a schedule of hourly or daily rates, or a schedule of parking charges for different circumstances or durations; and

(3) The name, telephone number, and address of the commercial parking business.

Provides that the registered owner of an unauthorized vehicle in a commercial parking lot is presumed to be liable for parking charges. It shall be an affirmative defense of the registered owner, provable by clear and convincing evidence, that the person who parked the vehicle at the commercial parking lot was not authorized, either actually or impliedly, by the registered owner to use or drive the vehicle.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Commerce & Labor.

HB 1465 by Representatives Conway, Jarrett, Kirby, Upthegrove, Haler, Hankins, Flannigan and McIntire

Modifying requirements for voter-approved regular property tax levies.

Amends RCW 84.55.050 relating to requirements for voter-approved regular property tax levies.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Finance.

HB 1466 by Representatives Flannigan, Woods, Darneille, Condotta, Kirby, Orcutt, Simpson, Haigh, Nixon, Chase, Strow, Hunt, Blake, Campbell and Kagi

Allowing motorcycles to stop and proceed through traffic signals.

Provides that, notwithstanding any provision of law to the contrary, the operator of a street legal motorcycle approaching a left turn intersection that is controlled by a triggered traffic control signal using a vehicle detection device that is inoperative due to the size of the street legal motorcycle shall come to a full and complete stop at the intersection. If the left turn signal fails to operate after one cycle of the traffic signal, the operator may, after exercising due care, proceed to turn left.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

HB 1467 by Representatives Dickerson, Wallace, P. Sullivan, Kagi, Roberts, Simpson, Appleton, Moeller, Green, Ericks, Takko and Chase

Requiring mandatory reporting of abuse or neglect of a child when discovered by a person connected with specified nonprofit entities.

Provides that, when any person who is an employee, contractor, or volunteer of a nonprofit entity as defined in RCW 84.36.800 has reasonable cause to believe that a child has suffered abuse or neglect, and the alleged perpetrator is an employee, contractor, or volunteer of the same nonprofit entity, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Children & Family Services.

HB 1468 by Representatives Roach and Kirby

Placing limitations on the release of consumer information by consumer reporting agencies.

Authorizes a consumer to elect to place a security freeze on his or her credit report by making a request in writing by certified mail to a consumer reporting agency. If a security freeze is in place, information from a consumer's credit report may not be released to a third party without prior express authorization from the consumer.

Does not prohibit a consumer reporting agency from advising a third party that a security freeze is in effect with respect to the consumer's credit report.

Requires a consumer reporting agency to place a security freeze on a consumer's credit report no later than

five business days after receiving a written request from the consumer.

Provides that, if a security freeze is in place, a consumer reporting agency shall not change any of the following official information in a consumer report without sending a written confirmation of the change to the consumer within thirty days of the change being posted to the consumer's file: Name, date of birth, social security number, and address.

Declares that the following entities are not required to place a security freeze on a consumer report: (1) A check services or fraud prevention services company, which issues reports on incidents of fraud or authorizations for the purpose of approving or processing negotiable instruments, electronic funds transfers, or similar methods of payments; or

(2) A demand deposit account information service company, which issues reports regarding account closures due to fraud, substantial overdrafts, ATM abuse, or similar negative information regarding a consumer, to inquiring banks or other financial institutions for use only in reviewing a consumer request for a demand deposit account at the inquiring bank or financial institution.

Provides that any consumer who suffers damages as a result of a violation of this act by any person may bring an action in a court of appropriate jurisdiction against that person to recover the following: (1) In the case of a negligent violation, actual damages, including court costs, loss of wages, attorneys' fees and, when applicable, pain and suffering.

(2) In the case of a willful violation: (a) Actual damages; (b) punitive damages of not less than one hundred dollars nor more than five thousand dollars for each violation; and (c) any other relief that the court deems proper.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Financial Institutions & Insurance.

HB 1469 by Representatives Lovick, Jarrett, Haigh and Armstrong; by request of Washington State Patrol

Changing hearing procedures for violations of commercial motor vehicle laws, rules, and orders.

Amends RCW 46.32.100 relating to proceedings for violations of commercial motor vehicle laws, rules, and orders.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

HB 1470 by Representatives Morrell, McDonald and Chase

Authorizing additional sales tax authority for public facilities districts.

Declares that, except as otherwise provided in this act, the governing body of a public facilities district created after July 1, 2006, but before June 30, 2008, under chapter 35.57 or 36.100 RCW that commences construction of a new regional center to be used for community events, and artistic, musical, theatrical, or other cultural exhibitions, presentations, or performances and having two thousand or fewer permanent seats, or improvement or rehabilitation of an existing regional center to be used for community events, and artistic, musical, theatrical, or other cultural exhibitions,

presentations, or performances and having two thousand or fewer permanent seats, before January 1, 2009, may impose a sales and use tax in accordance with the terms of chapter 82.14.RCW, provided the public facilities district is located in a county with a population in excess of seven hundred thousand.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Economic Development, Agriculture & Trade.

HB 1471 by Representatives Lovick, McDonald and Takko

Changing provisions relating to authentication of documents.

Revises provisions relating to authentication of documents.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

HB 1472 by Representatives Armstrong, Condotta and Chase

Providing for training peace officers to reduce deaths.

Declares an intent to provide adequate funding for Washington state peace officers to receive the training necessary for officers to achieve and maintain expertise in weapon retention and survival techniques.

Appropriates the sum of one million dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund to the criminal justice training commission for the sole purpose of providing Washington peace officers comprehensive training in weapon retention and survival techniques, including techniques for defending against assailants trying to disarm an officer's drawn gun and for regaining control if disarmed.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Criminal Justice & Corrections.

HB 1473 by Representative Representative, Schindler, Williams, Miloscia, Cody, P. Sullivan, Appleton, Kagi, Pettigrew, Simpson, Dickerson, McDermott, Santos, McIntire and Chase

Encouraging safe storage of firearms.

Declares that, except as otherwise provided in this act, a person is guilty of reckless endangerment if the person stores or leaves a loaded firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access, and a child obtains possession of the loaded firearm.

Requires that, when selling any firearm, every dealer shall offer to sell or give the purchaser a locked box, gun safe, a lock, or any device that prevents the firearm from discharging.

Provides that every person who violates this provision is guilty of a class 3 civil infraction under chapter 7.80 RCW, and may be fined up to fifty dollars. However, no such fines may be levied until thirty days have expired from the time warning signs are distributed by the department of licensing.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

HB 1474 by Representatives B. Sullivan, Nixon, Schual-Berke, Jarrett, O'Brien, Dickerson, Upthegrove, Eickmeyer, Hinkle, Quall, McIntire, Tom, Appleton, Hunt, Moeller, Simpson, Grant, Hunter, Kilmer and Chase

Clarifying Initiative 297.

Declares that the cleanup priority act makes the cleanup of contamination the top priority at sites with hazardous or mixed waste contamination that threatens our rivers, ground water, environment, and health.

Finds that adding more wastes to sites with mixed radioactive and hazardous wastes where there have been releases into the environment detracts from cleanup, and from the work needed to bring wastes into compliance. The cleanup priority act should be interpreted by the courts consistent with the clear intent of the voters, and the findings and clarifications in this act.

Declares that because court action has prevented the normal role of the department of ecology from issuing defining or interpretive rules, the legislature finds that adoption of the amendments to the cleanup priority act will ensure that the intent of the cleanup priority act is understood and clarified for the courts as well as for businesses or cleanup operations without delay.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Technology, Energy & Communications.

HB 1475 by Representatives Schual-Berke, Jarrett, Murray, Kessler, Wood, Skinner, Hankins, Woods, Dunshee, Wallace, Dickerson, Upthegrove, Curtis, Lovick and Morrell

Modifying child passenger restraint provisions.

Revises child passenger restraint provisions.

Provides that a person who has a current national certification as a child passenger safety technician and who in good faith and not for compensation provides inspection, adjustment, or educational services regarding child passenger restraint systems is not liable for civil damages resulting from any act or omission in providing the services, other than acts or omissions constituting gross negligence or willful or wanton misconduct.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

HB 1476 by Representatives Kagi, O'Brien and Simpson

Altering the amount of earned release time available for certain jail inmates.

Revises the amount of earned release time available for certain jail inmates.

Declares that the changes to the maximum percentages of earned release time in this act do not create any expectation that the percentage of earned release time cannot be revised and offenders have no reason to conclude that the maximum percentage of earned release time is an entitlement or creates any liberty interest.

Declares that the legislature retains full control over the right to revise the percentages of earned release time available to offenders at any time.

Applies to persons convicted on or after the effective date of this act.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Criminal Justice & Corrections.

HB 1477 by Representatives Kagi and Chase

Changing regulations for homeowners' associations.

Revises regulations for homeowners' associations.

Declares that the provisions of chapter 64.38 RCW apply to all homeowners' associations, however organized. In the event of a conflict between the provisions of this chapter and the provisions of law under which the homeowners' association is organized, the provisions of this chapter control.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

HB 1478 by Representatives Kagi, O'Brien, Simpson, Morrell, Lovick, Kenney, P. Sullivan, Nixon and Chase

Increasing penalties for failure to secure a vehicle load on a public highway.

Increases penalties for failure to secure a vehicle load on a public highway.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Criminal Justice & Corrections.

HB 1479 by Representatives Morrell, Campbell, Schual-Berke, Nixon, Cody, Green, Appleton, Clibborn, Simpson and Moeller

Regarding independent prescriptive authority for advanced registered nurse practitioners.

Amends RCW 18.79.240 relating to independent prescriptive authority for advanced registered nurse practitioners.

Repeals RCW 18.57.280, 18.71.370, and 18.79.320.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Health Care.

HB 1480 by Representatives O'Brien, Holmquist, McCune and Campbell

Restricting the rate charged mobile home parks for storm or surface water sewer system service.

Declares that, for the purposes of this act, a mobile home park is the same class of customer as residential multifamily housing.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Housing.

HB 1481 by Representatives Newhouse, Priest, Buri, Moeller, Lantz, McCune, Ahern, Simpson, Campbell, Haler and Chase

Increasing penalties for failure to yield to emergency vehicles or police vehicles.

Declares that a person is guilty of failure to yield the right of way in the first degree if he or she negligently obstructs or impedes the passage of any authorized emergency vehicle making use of audible and visual signals meeting the requirements of RCW 46.37.190, or of a police vehicle properly and lawfully making use of an audible signal.

Provides that failure to yield the right of way in the first degree is a gross misdemeanor.

Provides that the driver of any motor vehicle, upon approaching a stationary authorized emergency vehicle that is making use of audible and/or visual signals meeting the requirements of RCW 46.37.190 or of a police vehicle properly and lawfully displaying a flashing, blinking, or alternating emergency light or lights, shall: (1) On a highway having at least four lanes, at least two of which are intended for traffic proceeding in the same direction as the approaching vehicle, proceed with caution and, if reasonable, with due regard for safety and traffic conditions, yield the right of way by making a lane change into a lane not adjacent to that occupied by the stationary authorized emergency vehicle or police vehicle; or

(2) If changing lanes would be unreasonable or unsafe, proceed with due caution, reduce the speed of the vehicle, maintaining a safe speed for highway conditions.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Criminal Justice & Corrections.

HB 1482 by Representatives Dickerson, Kagi, Simpson, Appleton, Morrell, Ormsby, Moeller, Kenney, McDermott, O'Brien, McIntire and Chase

Revising provisions on child abuse and neglect.

Provides that, upon investigation of a report that a child has been abused or neglected, or upon receiving custody of a child from a law enforcement officer, a hospital administrator, or licensed physician pursuant to this chapter, the department may file a dependency petition pursuant to chapter 13.34 RCW if it determines that such action is necessary to protect the child from abuse and neglect or safeguard the child from future abuse and neglect.

Provides that, if the department determines that the child's parents, guardians, or legal custodians are available and willing to participate on a voluntary basis in services and treatment as may be needed to ameliorate the conditions that caused the abuse or neglect or that place the child at risk of future abuse or neglect, the department may agree that the child remain in the home pending the completion of such services and treatment.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Children & Family Services.

HB 1483 by Representatives Dickerson, McDonald, Moeller, Darneille, Jarrett, Simpson, Morrell, Sommers, Kenney, McDermott, Kagi, Chase and Clibborn

Creating an "investing in youth program."

Declares an intent to create incentives for local government investments in cost-effective intervention services that reduce crime by reimbursing local governments with a portion of the cost savings that accrue to the state as the result of local investments in such services.

Directs the department of community, trade, and economic development to establish a reinvesting in youth program that awards grants to counties for implementing research-based early intervention services that target juvenile justice-involved youth and reduce crime, subject to the availability of amounts appropriated for this specific purpose.

Provides that, effective July 1, 2005, and continuing through June 30, 2007, a reinvesting in youth pilot program shall be established. The pilot program will test methods for reinvestment of state savings that result from local investments in evidenced-based services for juvenile justice-involved youth.

Provides that participation in the pilot program shall be limited to three counties or groups of counties including at least one charter county with a population of over five hundred thousand residents and at least one county or group of counties with a combined population of three hundred thousand residents or less. Effective July 1, 2007, all counties shall become eligible to apply for participation in the program.

Provides that the department of community, trade, and economic development shall contract with the department of social and health services juvenile rehabilitation administration for the establishment of a state quality assurance program. The juvenile rehabilitation administration shall monitor the implementation of intervention programs reimbursed pursuant to this act and shall evaluate adherence to program design. The juvenile rehabilitation administration shall report any failures to comply with its quality assurance standards to the department of community, trade, and economic development.

Requires the Washington state institute for public policy to estimate the costs and benefits resulting from the implementation of the reinvesting in youth program and provide a report to the appropriate committees of the legislature, the governor, and to the department of community, trade, and economic development on December 1, 2007, and every four years thereafter.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Juvenile Justice & Family Law.

HB 1484 by Representatives Hunter, Jarrett, Haigh, Tom, McDermott, McIntire, Simpson, P. Sullivan, Kagi and Chase

Authorizing voter approved regular property tax levies for school purposes.

Declares an intent that additional funding provided under this act be used by school districts to provide regional cost-of-living salary supplements to school district employees, as determined through collective bargaining, and to provide local funds to support the purposes defined in RCW 28A.505.210(1) (c) and (d) (Initiative 728).

Provides that a county may impose a regular property tax levy for the maintenance and operation of schools within the county in accordance with this act.

Provides that, upon receiving resolutions requesting a levy under this act from the board of directors of school districts within the county where the petitioning school districts represent a majority of the students within the

county, the county legislative authority shall submit an authorizing proposition to the county voters.

Provides that, if the proposition is approved by a majority of the voters voting on the proposition, the county shall impose a levy not to exceed seventy-five cents per thousand dollars of assessed value.

Requires ballot propositions to conform with RCW 29A.36.210.

Declares that any tax imposed under this act shall be used only for the maintenance and operation of schools. The county shall distribute levy proceeds to each school district within the county based on the district's full-time equivalent student enrollment in the prior school year.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Education.

HB 1485 by Representatives Hunter, Jarrett, Wallace, Tom, Fromhold, McDermott, Haigh, Kenney and P. Sullivan

Regarding the school bus bid process.

Provides that school districts and educational service districts shall be reimbursed for buses purchased only through a lowest-price competitive bid process conducted under RCW 28A.335.190 or through the state bid process established by this act.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Education.

HB 1486 by Representatives Conway, Wood and Sells

Requiring applicants for state purchased health care benefits or uncompensated hospital care to identify the employer of the proposed beneficiary of the benefits or care.

Requires applicants for state purchased health care benefits or uncompensated hospital care to identify the employer of the proposed beneficiary of the benefits or care.

Provides that, on or before February 1st of each year, the department of social and health services and the health care authority shall provide the appropriate committees of the senate and house of representatives a report listing all employers identified through the application requirements of this act.

Provides that, on or before February 1st of each year, the department shall provide the appropriate committees of the senate and house of representatives a report listing all employers identified under this act. The report must include each company name, location, and the total number of their employees and dependents who requested uncompensated care at a hospital. No other information regarding persons seeking uncompensated care in a hospital may be included in this report. The report must also be made available to the public.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Health Care.

HB 1487 by Representatives Ormsby, Dunshee, Serben and Crouse

Concerning payment agreements.

Amends RCW 39.96.020 relating to payment agreements.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Capital Budget.

HB 1488 by Representatives Hunter, Priest, Dickerson, Tom, Upthegrove, Jarrett, Springer, McCoy, B. Sullivan, Conway, Simpson, Flannigan, McIntire, Moeller, Chase, Williams, Kenney, Sells, Murray, Fromhold, Pettigrew, Darneille, Lantz, Clibborn, Kagi, Hasegawa, Morrell, McDermott, Hunt, Blake, Campbell, Cody, Hudgins, Ericks, O'Brien and Nixon

Prohibiting the sale of products that contain polybrominated diphenyl ethers.

Prohibits the sale of products that contain polybrominated diphenyl ethers.

Provides that, subject to available funding, the department of general administration and the department of health shall conduct a stakeholder process to develop a proposal for a ban on the use of decabromodiphenylether in transportation vehicles, and a proposal for the ban or management of used and recycled products containing polybrominated diphenyl ethers.

Requires the department and the department of health to report the findings and recommendations of the stakeholder process to the appropriate committees of the legislature by December 15, 2005. The preparation of the reports required in this provision is subject to available funding.

Provides that, by January 1, 2006, the department of general administration shall: (1) Give priority and preference to the purchase of equipment, supplies, and other products that do not contain polybrominated diphenyl ethers; and

(2) Make available for purchase and use by all state agencies only equipment, supplies, and other products that do not contain polybrominated diphenyl ethers.

Directs the department of general administration to, by January 1, 2006, revise its rules, policies, and guidelines to implement the purposes of this act.

Declares that a violation of this act is punishable by a civil penalty not to exceed one thousand dollars for each violation in the case of a first offense. Repeat violators are liable for a civil penalty not to exceed five thousand dollars for each repeat offense. Penalties collected under this provision must be deposited in the state toxics control account created in RCW 70.105D.070.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Natural Resources, Ecology & Parks.

HB 1489 by Representatives Williams, Tom, Hunt, Jarrett, Lovick, Hankins, Darneille, Moeller, Cody, Kagi, McIntire and Chase

Prohibiting weapons in the state legislative building.

Prohibits weapons in the state legislative building.

Requires security personnel in the legislative building to either: (1) Provide a stationary lockable box or boxes sufficient in size for pistols and with keys for weapons owners for weapon storage during an owner's visit in the legislative building; or

(2) Designate an official to receive weapons for safekeeping during an owner's visit in the legislative building.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

HB 1490 by Representatives Darneille, Williams, Moeller and Chase

Prohibiting firearms in parks.

Prohibits firearms in parks.

Does not apply to: (1) A park in which hunting or target shooting is authorized;

(2) A pistol in the possession of a person licensed under RCW 9.41.070 or exempt from that licensing requirement by RCW 9.41.060; or

(3) An authorized showing, demonstration, or lecture involving the exhibition of firearms.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

HB 1491 by Representatives B. Sullivan, Kretz, Upthegrove, Orcutt, Eickmeyer and Buck; by request of Commissioner of Public Lands

Reorganizing aquatic lands statutes.

Reorganizes aquatic lands statutes.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Natural Resources, Ecology & Parks.

HB 1492 by Representatives Williams, B. Sullivan, Eickmeyer and Orcutt; by request of Commissioner of Public Lands

Developing a single pilot mitigation bank on state-owned aquatic lands.

Finds that the existing state and federal regulatory framework for wetland and aquatic resource mitigation is an important tool used to offset impacts to aquatic lands.

Finds that because impacts to wetlands and aquatic resources often affect state-owned aquatic lands, the department should work within established state and federal regulatory mitigation processes to develop a single pilot mitigation bank on state-owned aquatic lands.

Declares an intent to establish the proprietary mechanisms for the department to develop, implement, and manage a single pilot mitigation bank on state-owned aquatic lands. Additional authority will be needed if the department seeks to establish more than one mitigation bank.

Requires that, by December 31, 2010, the department must provide a report to the appropriate committees of the senate and house of representatives that provides the status of the pilot mitigation bank in regards to regulatory certification, management plan development, service area determination, credit determination, valuation, and sale, and endowment fund creation and expenditure.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Natural Resources, Ecology & Parks.

HB 1493 by Representatives B. Sullivan, Upthegrove, Buck, Orcutt and Eickmeyer; by request of Commissioner of Public Lands

Allowing certain state-owned filled tidelands and shorelands to be designated as aquatic investment properties.

Finds that a high percentage of state-owned tidelands and shorelands were sold into private ownership as part of the state legislature's earliest efforts to foster Washington's economic expansion. The remaining state-owned tideland and shoreland ownership is fragmented and some state-owned tidelands and shorelands have been altered by fill to such a degree that they have the characteristics of uplands.

Declares that these filled lands may no longer provide public benefits as aquatic lands as described in RCW 79.90.450 and 79.90.455 and remain underutilized as dry land because they are subject to a management philosophy dedicated to the protection of submerged lands.

Recognizes that certain state-owned filled tidelands and filled shorelands should be designated as aquatic investment properties and commercially managed in order to generate funding for the acquisition, protection, and management of functioning aquatic lands.

Declares an intent to authorize the department of natural resources to buy and sell certain filled tidelands and shorelands which, if bought or sold, would not cause the loss of aquatic ecological functions, public access opportunities, or interfere with water-dependent activities and businesses.

Appropriates the sum of five hundred thousand dollars, or as much thereof as may be necessary, for the biennium ending June 30, 2007, from the aquatic sustaining investment account to the department of natural resources for the purposes described in this act.

Repeals RCW 79.90.250.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Natural Resources, Ecology & Parks.

House Joint Resolutions

HJR 4203 by Representatives Upthegrove, Schual-Berke, Morrell and Moeller

Allowing recall of campaign finance law violators.

Proposes an amendment to the state Constitution to allow recall of campaign finance law violators.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to State Government Operations & Accountability.

Senate Bills

SB 5420 by Senators Regala, Swecker, Haugen, Delvin, Jacobsen, Rasmussen, McAuliffe and Kohl-Welles

Modifying restrictions on children riding motorcycles.

Declares that it is unlawful for any person to transport on a motorcycle or motor-driven cycle a child under the age of five, a child whose feet do not rest firmly on the passenger foot pegs, or a child who is not sufficiently supported by a passenger back rest attached to the seat.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

SB 5421 by Senators Haugen, Swecker, Jacobsen, Kastama, Poulsen, Spanel, Shin and Rasmussen

Identifying bus stop and crosswalk needs in comprehensive plans.

Requires identifying bust stop and crosswalk needs in comprehensive plans.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

SB 5422 by Senators Haugen, Kastama, Berkey and Shin

Providing research and services for special purpose districts.

Requires the municipal research council to contract for the provision of research and services to special purpose districts. A contract for at least two FTEs shall be made with a state agency, educational institution, or private consulting firm, that in the judgment of council members is qualified to provide such research and services.

Declares that research and services to special purpose districts shall consist of: (1) Studying and researching issues relating to special purpose district government; and

(2) Furnishing legal, technical, consultative, and field services to special purpose districts concerning issues relating to special purpose district government.

Appropriates the sum of two hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the public works trust fund to the special purpose district research services account.

Appropriates the sum of two hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the public works trust fund to the special purpose district research services account.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Government Operations & Elections.

SB 5423 by Senators Haugen and Swecker

Authorizing creation of thematic collections of special plates.

Authorizes creation of thematic collections of special plates.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

SB 5424 by Senators Haugen, Swecker, Jacobsen, Hargrove and Doumit

Authorizing the "Washington Lighthouses" special plate.

Authorizes the "Washington Lighthouses" special plate.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

SB 5425 by Senators Haugen, Berkey, Kohl-Welles, Shin, Rasmussen, Jacobsen and Schmidt

Creating North Snohomish State College.

Finds that, over the next decade, large numbers of Washington students will graduate from high school and seek access to higher education. Washington continues to lag significantly behind other states in its production of students with baccalaureate degrees and graduate degrees.

Finds that a new public four-year institution of higher education has not been created in the state of Washington since 1967. The three comprehensive institutions of higher education were created in the late 1890s when the state normal schools were established and no new comprehensive institution of higher education has been created since then.

Finds that northern Snohomish county and the surrounding region do not have reasonable access to a four-year institution of higher education.

Declares an intent to create a four-year baccalaureate degree granting institution in north Snohomish county.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Early Learning, K-12 & Higher Education.

SB 5426 by Senators Carrell, Hargrove, Benson and Sheldon

Providing procedures for decreasing truancy and dropouts.

Finds that there is a correlation between the dropout rates of youth and the rate of truancy within the educational system. The state must have as a priority the reduction in the rates of truancy and dropouts in the state educational system. The state must encourage the districts to adopt policies which reduce the rates of truancy and dropouts within the schools in their districts.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Early Learning, K-12 & Higher Education.

SB 5427 by Senators Carrell, Esser, Hargrove, Stevens, McAuliffe, Zarelli, Benson, Finkbeiner, Morton, Johnson, Honeyford and Mulliken

Allowing persons over age seventy to obtain a combination fishing license at no charge.

Authorizes persons over age seventy to obtain a combination fishing license at no charge.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Natural Resources, Ocean & Recreation.

SB 5428 by Senators Carrell, Schoesler and Benson

Restricting correctional facilities on the grounds of a state hospital.

Provides that a program, facility, or institution operated by the department of corrections, or pursuant to a contract with the department of corrections, that serves violent offenders, including but not limited to facilities sited under RCW 72.65.220, may not be located or operated on the grounds of a state hospital as designated under chapter 72.23 RCW.

Does not apply to a program, facility, or institution located or operated on the grounds of a state hospital on the effective date of this act.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Human Services & Corrections.

SB 5429 by Senators Carrell, Berkey, Schoesler, Rasmussen, Hargrove, Pflug, Johnson, Benson, Esser, Morton, Franklin, Honeyford, Shin and Stevens

Requiring written justification when a risk assessment is reduced.

Declares that the risk category determined as provided in this act shall not be reduced without written justification by the department that the department has reviewed the initial risk assessment report and presentence reports, including any victim impact statement and criminal history, arguments by the prosecutor, the defense counsel, the offender, the victim, the survivor of the victim, or a representative of the victim or survivor, and an investigative law enforcement officer and provide documentation why the department believes that the risk to the public will not be compromised and the liability to the department will not be increased.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Human Services & Corrections.

SB 5430 by Senators Hargrove and Rasmussen

Providing funds for the crime victims' compensation program.

Provides that, on July 1, 2005, the state treasurer shall transfer four million dollars from the accident fund to the public safety and education account.

Provides that, on July 1, 2006, the state treasurer shall transfer four million dollars from the accident fund to the public safety and education account.

Declares that the transfers in this act are provided for the use of the crime victims' compensation program administered by the department of labor and industries.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Human Services & Corrections.

SB 5431 by Senators Spanel, Rockefeller, Pridemore, Poulsen, Kohl-Welles, Doumit, Regala, Fraser and Kline

Concerning the management of on-site sewage systems in marine areas.

Finds that improperly functioning on-site sewage systems in marine areas may contaminate ground water and surface water, threatening public health and the environment.

Finds that in these areas enhanced on-site sewage system certification programs must be established to ensure systems are properly functioning to protect public and environmental health.

Requires the department of ecology to designate a marine area of special concern in counties with shorelines adjacent to Puget Sound in areas where concentrations of

on-site sewage disposal systems are a significant factor contributing to public health and environmental concerns.

Requires the local board of health with jurisdiction over the area to submit an enhanced on-site sewage system certification program to the department within eighteen months of designation of a marine area of special concern within the county.

Requires the local board of health with jurisdiction over the area to conduct quality assurance of the enhanced on-site sewage system certification program including: (1) Inspection of at least ten percent of certificated on-site sewage disposal systems every three years to determine if the systems are properly functioning and in compliance with this chapter and RCW 43.20.050; and

(2) Follow-up inspections of all new on-site sewage disposal systems within one year of installation to ensure that the system is properly functioning and to provide educational materials to the owner or operator of the system.

Provides that, in areas with shorelines adjacent to Puget Sound where an enhanced on-site sewage system certification program is not required, the owner of an on-site sewage disposal system is responsible for operating, monitoring, and maintaining the system to minimize the risk of failure. In order to accomplish this, the owner shall ensure a complete evaluation of the system's components to determine functionality, maintenance needs, and compliance with regulations and permits as follows: (1) At least once every three years for a conventional on-site sewage disposal system; or

(2) Annually for a complex on-site sewage disposal system.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Water, Energy & Environment.

SB 5432 by Senators Spanel, Swecker, Poulsen, Doumit, Regala, Rockefeller, Pridemore, Haugen, Kohl-Welles, Fraser, Jacobsen and Kline

Creating the oil spill monitoring and oversight council.

Declares that, in section 5002 of the federal oil pollution act of 1990, the United States congress found that complacency on the part of industry and government was one of the contributing factors to the Exxon Valdez spill and, further, that one method to combat this complacency is to involve local citizens in the monitoring and oversight of oil spill plans. Moreover, congress concluded that, in addition to Alaska, a program of citizen monitoring and oversight should be established in other major crude oil terminals in the United States because recent oil spills indicate that the safe transportation of oil is a national problem.

Establishes in the office of the governor the oil spill monitoring and oversight council. The primary purpose of the council is to maintain the state's vigilance in the prevention of oil spills, while recognizing the importance of also improving preparedness and response.

Provides that, by December 1st of each year, the council shall make recommendations for the continuing improvement of the state's oil spill prevention, preparedness, and response through a report to the governor and the appropriate committees of the senate and house of representatives.

Requires the director to prepare a response to the annual report within ninety days of its submittal to the governor and the legislature, including a description of recommended improvements the department will adopt and the reasons

established for rejecting the adoption of or for significantly modifying any recommended improvement.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Water, Energy & Environment.

SB 5433 by Senators Kline, Hargrove and Carrell

Changing the membership of the commission on judicial conduct.

Revises the membership of the commission on judicial conduct.

Declares that this act takes effect January 1, 2006, if the proposed amendment to Article IV, section 31 of the state Constitution (Senate Joint Resolution No. . . ., changing the membership of the commission on judicial conduct) is validly submitted to and is approved and ratified by the voters at the next general election. If the proposed amendment is not approved and ratified, this act is void in its entirety.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

SB 5434 by Senators Kline, Esser, Hargrove, Johnson, Carrell and Kohl-Welles

Revising standards for antiharassment protection order hearings.

Amends RCW 10.14.070 to revise standards for antiharassment protection order hearings.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

SB 5435 by Senators Kline, Esser and Johnson

Granting the municipal courts jurisdiction for antiharassment protection orders.

Provides that municipal courts may exercise jurisdiction and cognizance of any civil actions and proceedings brought under chapter 10.14 RCW by adoption of local court rule, except the municipal court shall transfer such actions and proceedings to the superior court when it is shown that the respondent to the petition is under eighteen years of age.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

SB 5436 by Senators Haugen, Delvin, Eide and Rasmussen; by request of Washington State Patrol

Changing hearing procedures for violations of commercial motor vehicle laws, rules, and orders.

Revises hearing procedures for violations of commercial motor vehicle laws, rules, and orders in RCW 46.32.100.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

SB 5437 by Senators Doumit, Swecker, Jacobsen, Oke and Shin

Concerning the construction of bridges and trestles over tidelands, shorelands, and harbor areas of the state.

Provides that counties, cities, towns, and other municipalities shall have the right to construct bridges and trestles across waterways heretofore or hereafter laid out under the authority of the state of Washington, and over and across any tide or shore lands and harbor areas of the state adjacent thereto over which the projected line or lines of highway will run, if such bridges or trestles are constructed in good faith for the purpose of being made a part of the constructed line of such a highway, without payment for any such right of way and without payment for any damages to those aquatic lands affected.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Natural Resources, Ocean & Recreation.

SB 5438 by Senators Roach, Swecker, Delvin, Oke and Kohl-Welles; by request of Washington State Patrol

Authorizing background checks before an authorized emergency vehicle permit is issued.

Provides that the equipment and standards review unit shall require a record check of all applicants and drivers for an authorized emergency vehicle permit through the Washington state patrol criminal identification section pursuant to RCW 10.97.050 and through the federal bureau of investigation before issuing an authorized emergency vehicle permit. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card.

Provides that, when necessary, applicants and drivers may be employed on a conditional basis pending completion of the investigation. Pursuant to RCW 43.43.742, the applicant, driver, or employer shall pay costs associated with the record check.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

SB 5439 by Senators Roach, Swecker, Delvin, Sheldon, Parlette and Kohl-Welles; by request of Washington State Patrol

Authorizing background checks on gubernatorial appointees.

Authorizes background checks on gubernatorial appointees.

Provides that, when requested by the governor or the director of the department of personnel, nonconviction criminal history fingerprint record checks shall be conducted through the Washington state patrol identification and criminal history section and the federal bureau of investigation on applicants for agency head positions appointed by the governor.

Declares that information received pursuant to this act shall be confidential and made available only to the governor or director of the department of personnel or their employees directly involved in the selection, hiring, or background investigation of the subject of the record check.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Government Operations & Elections.

SB 5440 by Senators Eide, Franklin, Poulsen, Fraser, Keiser, Berkey, Shin, Rasmussen, McAuliffe and Kohl-Welles; by request of Governor Gregoire

Revising excise tax provisions to encourage small business. Revises excise tax provisions to encourage small business.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Ways & Means.

SB 5441 by Senators Weinstein, McAuliffe, Prentice, Kohl-Welles, Eide, Berkey, Poulsen, Keiser, Brown, Fraser, Shin, Haugen, Schmidt, Kline, Rockefeller, Spanel and Rasmussen; by request of Governor Gregoire

Requiring an education and higher education finance study.

Finds that: (1) The early years mark the most extraordinary period of growth for young children. The state's role in providing access to early learning opportunities has never been consistently defined;

(2) More than a quarter of a century has passed since the current school finance system was first created, and the challenges facing our schools and students have grown and changed dramatically during that time. Policies have been established creating new expectations and goals for students under education reform;

(3) Demographic pressures and work force needs will continue to increase demand for access to postsecondary education and training. Public two-year and four-year institutions of higher education are also important avenues for programs such as adult basic education and English as a second language that are the foundation for employment and further education for an increasing number of people. Students have paid an increasing cost of their education with tuition growing faster than personal income or inflation; and

(4) Through a comprehensive study, the legislature will have solid information to determine how best to use its resources to create a strong education system that will provide an educated citizenry and a thriving economy in this state.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Early Learning, K-12 & Higher Education.

SB 5442 by Senators Poulsen, Keiser, Pflug, Fraser, Shin, Haugen, Franklin, Parlette, Rasmussen, McAuliffe and Kohl-Welles; by request of Governor Gregoire

Establishing a joint legislative and executive task force on long-term care financing and chronic care management.

Establishes a joint legislative and executive task force on long-term care financing and chronic care management.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Health & Long-Term Care.

SB 5443 by Senators Rasmussen, Schmidt, Franklin, Prentice, Berkey, Keiser, Fraser, Poulsen, Kastama, Finkbeiner, Esser, Shin, Haugen, Rockefeller, McAuliffe, Oke and Kohl-Welles; by request of Governor Gregoire

Providing a property tax exemption to widows or widowers of honorably discharged veterans.

Provides a property tax exemption to widows or widowers of honorably discharged veterans.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Government Operations & Elections.

SB 5444 by Senators Jacobsen, Haugen and Brown

Authorizing "Share the Road" license plates to commemorate Cooper Jones.

Declares that "Share the Road license plates" means license plates that commemorate the life of Cooper Jones and display a symbol of an organization that promote bicycle safety and awareness education in communities throughout Washington.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Transportation.

SB 5445 by Senators Kline, Pridemore, Esser, Brown, Finkbeiner, Jacobsen, Benson, Swecker, Spanel, Regala, Poulsen, Mulliken, Rockefeller, Rasmussen, Kohl-Welles and Weinstein

Clarifying Initiative 297.

Declares that the cleanup priority act makes the cleanup of contamination the top priority at sites with hazardous or mixed waste contamination that threatens our rivers, ground water, environment, and health.

Finds that adding more wastes to sites with mixed radioactive and hazardous wastes where there have been releases into the environment detracts from cleanup, and from the work needed to bring wastes into compliance. The cleanup priority act should be interpreted by the courts consistent with the clear intent of the voters, and the findings and clarifications in this act.

Declares that because court action has prevented the normal role of the department of ecology from issuing defining or interpretive rules, the legislature finds that adoption of the amendments to the cleanup priority act will ensure that the intent of the cleanup priority act is understood and clarified for the courts as well as for businesses or cleanup operations without delay.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Water, Energy & Environment.

SB 5446 by Senators Kohl-Welles, Parlette, Franklin, Swecker, Brown and Schoesler

Licensing soil scientists.

Finds it is in the public interest to regulate the practice of soil science in order to protect life, property, health, and to promote public welfare; to define the practice of soil science as a profession by establishing minimum standards of ethical conduct and professional responsibility and by establishing professional education and experience

requirements; and to prevent abuses in the practice of soil science by untrained or unprincipled individuals.

Creates an advisory committee to provide recommendations to the board and the director concerning the administration of this act.

Requires the advisory committee to make recommendations to the board regarding: (1) Developing and adopting rules to administer this chapter including, but not limited to, evaluating the experience, scope, and standards of practice of soil science;

(2) Reviewing complaints and investigations pertaining to the practice of soil science; and

(3) Performing other duties deemed necessary by the director or the board.

Declares that the director has the following authority in administering this act: (1) To adopt, amend, and rescind rules approved by the board as deemed necessary to carry out this chapter;

(2) To adopt fees as provided in RCW 43.24.086;

(3) To administer licensing examinations approved by the board and to adopt or recognize examinations prepared by other organizations as approved by the board;

(4) To adopt standards of professional conduct and practice as approved by the board; and

(5) To enter into an assurance of discontinuance in lieu of issuing a statement of charges or conducting a hearing. The assurance must consist of a statement of the law in question and an agreement to not violate the stated provision. Violation of an assurance under this provision is grounds for disciplinary action.

Provides that, in order to become a licensed soil scientist, an applicant must meet the following requirements: (1) An applicant who applies for soil scientist licensing before July 1, 2006, is considered qualified for licensing, without further written examination, if the applicant possesses the specific record of being a current soil science society of America certified professional soil scientist or certified professional soil classifier in good standing.

(2) On or after July 1, 2006, in order to become a licensed soil scientist, an applicant must: (a) Be of good moral and ethical character as attested to by letters of reference submitted by the applicant or as otherwise determined by the board; (b) have graduated from a course of study in soil science satisfactory to the board or satisfy educational equivalents determined by the board; (c) have a documented record of a minimum of five years of experience obtained after the completion of the academic requirements specified in this section, in soil science work of a character satisfactory to the board, demonstrating that the applicant is qualified to assume responsible charge of such work upon licensing as a soil scientist. The board requires that three years of the experience be gained under the supervision of a soil scientist licensed in this or any other state, or under the supervision of others who, in the opinion of the board, are qualified to have responsible charge of soil science work; (d) pass an examination covering the fundamentals and practice of soil science prescribed or accepted by the board; and (e) meet other general or individual requirements established by the board under its authority under this act.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Labor, Commerce, Research & Development.

SB 5447 by Senators Prentice, Hewitt, Doumit, Honeyford, Mulliken and Rasmussen

Modifying the excise taxation of fruit and vegetable processing and storage.

Revises the excise taxation of fruit and vegetable processing and storage.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Ways & Means.

SB 5448 by Senators Poulsen, Swecker, Brown, Berkey, Delvin, Jacobsen, Kline, Brandland and Kohl-Welles

Providing grants to provide information regarding grizzly bears in the north Cascades.

Directs the department of fish and wildlife to provide one or more grants for projects that provide community outreach and public information regarding grizzly bears in the north Cascades mountains. The projects funded must be designed to work closely with communities in this region and have the objective of providing accurate information about grizzly bear ecology, biology, and behavior, provide education on how local residents can coexist safely with bears, and provide opportunities for people who live in these areas to express their ideas, opinions, and concerns.

Appropriates the sum of forty-five thousand dollars, or as much thereof as may be necessary, from the general fund to the department of fish and wildlife for the fiscal year ending June 30, 2006, to carry out the purposes of this act.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Natural Resources, Ocean & Recreation.

SB 5449 by Senators Poulsen, Swecker, Pridemore, Kline, Fraser and Rockefeller

Providing lien authority to the department of ecology to facilitate the recovery of remedial action costs under the model toxics control act.

Declares that it is in the public interest for the department to recover remedial action costs incurred in discharging its responsibility under this chapter, as these recovered funds can then be applied to the cleanup of other facilities. Thus, in addition to other cost-recovery mechanisms provided under chapter 70.105D RCW, this act is intended to facilitate the recovery of state funds spent on remedial actions by providing the department with lien authority. This will also prevent a facility owner or mortgagee from gaining a financial windfall from increased land value resulting from department-conducted remedial actions at the expense of the state taxpayers.

Provides that, if the state of Washington incurs remedial action costs relating to a remedial action of real property, and those remedial action costs are unrecovered by the state of Washington, the department may file a lien against that real property.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Water, Energy & Environment.

SB 5450 by Senators Thibaudeau, Oke, Brown, Mulliken, Keiser, Doumit, Prentice, Poulsen, Regala, Kline, Franklin, Parlette, Rockefeller, Spanel, McAuliffe, Kohl-Welles and Pflug

Requiring that insurance coverage for mental health services be at parity with medical and surgical services.

Declares an intent to require that insurance coverage be at parity for mental health services, which means this coverage be delivered under the same terms and conditions as medical and surgical services.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Health & Long-Term Care.

SB 5451 by Senators Keiser, Prentice, Doumit and Kohl-Welles

Modifying the excise taxation of cosmetic medical services.

Revises the excise taxation of cosmetic medical services.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Health & Long-Term Care.

SB 5452 by Senators Franklin, Fairley, Stevens, Roach, Benson, Regala, Kline, Rockefeller, Rasmussen and Kohl-Welles

Prohibiting genetic testing as a condition of life insurance.

Declares that it is unlawful for any life insurer to require, directly or indirectly, any policyholder or prospective policyholder or person upon whose life the contract is made to submit genetic information or submit to screening for genetic information as a condition of obtaining or retaining a life insurance or annuity policy.

Declares that it is unlawful for any life insurer to use genetic information in setting rates or making determinations concerning the rate or amount of premium charged for a life insurance or annuity policy, or in the benefits payable or in any other rights or privileges accruing thereunder.

Declares that it is unlawful for any insurer issuing a group life insurance or annuity policy to require, directly or indirectly, any policyholder or prospective policyholder or any person upon whose life the contract is made to submit genetic information pertaining to any person insured under the group life insurance policy or pertaining to any person upon whose life the policy is made or to require such persons to submit to screening for genetic information as a condition of obtaining or retaining a group life insurance or annuity policy.

Declares that it is unlawful for any insurer issuing a group life insurance policy to use genetic information in setting rates or making determinations concerning the rate or amount of premium charged for a group life insurance or annuity policy, or in the benefits payable or in any other rights or privileges accruing thereunder.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Financial Institutions, Housing & Consumer Protection.

SB 5453 by Senators Delvin, Shin, Kline and Brandland

Providing civil immunity for broadcasters participating in the Amber alert.

Provides that no cause of action shall be maintained for civil damages in any court of this state against any radio or

television broadcasting station or cable television system, or the employees, officers, directors, managers, or agents of the radio or television broadcasting station or cable television system, based on the broadcast of information including, but not limited to, the name or description of an abducted child, the name or description of a suspected abductor, and the circumstances of an abduction supplied by law enforcement officials pursuant to the voluntary broadcast notification system commonly known as the "Amber alert," or as the same system may otherwise be known in this state, which is used to notify the public of missing or abducted children.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

SB 5454 by Senators Hargrove, Kline, Delvin, Thibaudeau, Johnson, Shin, Stevens, Rockefeller and Kohl-Welles; by request of Board for Judicial Administration

Revising trial court funding provisions.

Finds that the funding of trial courts in Washington state is inadequate and uneven across the state as a result of funding responsibility resting primarily upon local government.

Finds that a more equitable balance of funding responsibility between state and local government must be achieved and that increased funding must be provided for the trial courts.

Declares that this act is intended to increase state funding responsibility and provide trial courts with the additional resources necessary to provide justice equally to the citizens of Washington state.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

SB 5455 by Senator Mulliken

Promoting economic revitalization.

Finds: (1) The continued economic vitality of downtown and neighborhood commercial districts in our state's cities is essential to community preservation, social cohesion, and economic growth;

(2) In recent years there has been a deterioration of downtown and neighborhood commercial districts in both rural and urban communities due to a shifting population base, changes in the marketplace, and greater competition from suburban shopping malls, discount centers, and business transacted through the internet;

(3) This decline has eroded the ability of businesses and property owners to renovate and enhance their commercial and residential properties; and

(4) Business owners in these districts need to maintain their local economies in order to provide goods and services to adjacent residents, to provide employment opportunities, to avoid disinvestment and economic dislocations, and to develop and sustain downtown and neighborhood commercial district revitalization programs to address these problems.

Declares an intent to establish a program to: (1) Work in partnership with these organizations;

(2) Provide technical assistance and training to local governments, business organizations, downtown and neighborhood commercial district organizations, and business and property owners to accomplish community and

economic revitalization and development of business districts; and

(3) Certify a downtown or neighborhood commercial district organization's use of available tax incentives.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to International Trade & Economic Development.

SB 5456 by Senators Prentice, Esser, Spanel, Swecker and Pridemore

Making it a crime to excavate without notification near a transmission pipeline.

Declares that any person who fails to notify the one-number locator service when required under this chapter and excavates within one hundred feet of a transmission pipeline is guilty of a gross misdemeanor and subject to a fine of not more than ten thousand dollars for each offense.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Water, Energy & Environment.

SB 5457 by Senators Esser, Kline, Weinstein, Prentice, Carrell, Johnson and Shin

Increasing penalties for failure to secure a vehicle load on a public highway.

Increases penalties for failure to secure a vehicle load on a public highway.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

SB 5458 by Senators Shin, Schmidt, Regala, Berkey and Jacobsen

Increasing the surcharge for the preservation of historical documents.

Increases the surcharge for the preservation of historical documents from two to five dollars.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Government Operations & Elections.

SB 5459 by Senators Shin, Schmidt, Berkey and Esser

Restricting the information on recorded documents.

Provides that when any instrument, except those generated by governmental agencies, is presented to a county auditor or recording officer for recording, the document may not contain the following information: (1) A social security number;

(2) A date of birth identified with a particular person; or

(3) The maiden name of a person's parent so as to be identified with a particular person.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Government Operations & Elections.

SB 5460 by Senators McAuliffe, Stevens, Hargrove,
Carrell, Franklin, Keiser and Rasmussen

Authorizing educators to request family reconciliation services for students.

Provides that certificated employees as defined in RCW 28A.150.060 who believe a student may be an at-risk youth or a child in need of services may request that the department provide family reconciliation services to the family.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Human Services
& Corrections.

Senate Joint Resolutions

SJR 8207 by Senators Kline, Esser, Hargrove,
Carrell and Johnson

Changing the membership of the commission on judicial conduct.

Proposes an amendment to the state Constitution to revise the membership of the commission on judicial conduct.

-- 2005 REGULAR SESSION --

Jan 25 First reading, referred to Judiciary.

LIST OF BILLS IN DIGEST SUPPLEMENTS CONT.

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SB 5395 Supp. 11
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SB 5397 Supp. 11
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SB 5399 Supp. 11
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HB 1392 Supp. 10
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HJM 4005 Supp. 11
HJM 4006 Supp. 11
HJR 4200 Supp. 1
HJR 4201 Supp. 9
HJR 4202 Supp. 9
HCR 4400 Supp. 1
HCR 4401 Supp. 1
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HCR 4403 Supp. 1